

Theodore W. Gandy DPR 996  
Santa Clara County Jail - San Jose  
885 N. San Pedro  
San Jose, CA 95110

CV08-01793 SBA



OFFICE OF THE CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
1301 CLAY ST., SUITE 400S  
OAKLAND, CA 94612-5212  
  
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

FILED

JUL 23 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

NOT IN CUSTODY

2511081718 DDM

11 The Court has dismissed the present civil rights complaint without prejudice for Plaintiff's  
12 failure to provide the Court with his current address pursuant to Rule 3-11 of the Northern District  
13 Local Rules. A judgment of dismissal without prejudice is hereby entered. The Clerk of the Court  
14 shall terminate all pending motions and close the file.

15 IT IS SO ORDERED.

16 | DATED: 7/1/08

Saundra B Armstrong  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

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6 THEODORE W. GANDY,

Case Number: CV08-01793 SBA

7 Plaintiff,

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10 **CERTIFICATE OF SERVICE**

v.

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12 AMOUR et al,

13 Defendant.

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14 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
15 Court, Northern District of California.

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17 That on July 2, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said  
18 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
19 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
in the Clerk's office.

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Santa Clara County Jail - San Jose  
885 N. San Pedro  
San Jose, CA 95110

Dated: July 2, 2008

Richard W. Wiking, Clerk  
By: LISA R CLARK, Deputy Clerk

FILED

JUL 02 2008

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

5 THEODORE W. GANDY,

No. C 08-01793 SBA (PR)

6 Plaintiff,

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

7 v.

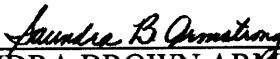
8 SGT. AMOUR, et al.,

9 Defendants.

10 /

11 Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983.12 On April 21, 2008, mail directed to Plaintiff by the Court was returned to the Clerk of the Court with  
13 a notation that it was undeliverable. To date, Plaintiff has not updated his address with the Court or  
14 submitted any further pleadings in this case.15 Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address  
16 changes while an action is pending must promptly file a notice of change of address specifying the  
17 new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when:  
18 (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and  
19 (2) the court fails to receive within sixty days of this return a written communication from the pro se  
20 party indicating a current address. See L.R. 3-11(b).21 More than sixty days have passed since the mail directed to Plaintiff by the Court was  
22 returned as undeliverable. The Court has not received a notice from Plaintiff of a new address.  
23 Accordingly, the complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern  
24 District Local Rules. Plaintiff's in forma pauperis application is DENIED as incomplete. The Clerk  
25 of the Court shall enter judgment in accordance with this Order.

26 IT IS SO ORDERED.

27 DATED: 7/1/0828   
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA4 THEODORE W. GANDY,  
5 Plaintiff,  
6 v.  
7 AMOUR et al,  
8 Defendant.

Case Number: CV08-01793 SBA

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in the Clerk's office.13  
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15 Theodore W. Gandy DPR 996  
16 Santa Clara County Jail - San Jose  
885 N. San Pedro  
17 San Jose, CA 95110

18 Dated: July 2, 2008

Richard W. Wiking, Clerk  
By: LISA R CLARK, Deputy Clerk

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